

ATTORNEY DOCKET NO.  
064749.0162

PATENT APPLICATION  
USSN 10/603,240



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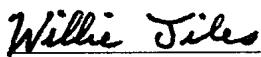
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Hershey, et al.  
Serial No.: 10/603,240  
Filing Date: June 24, 2003  
Confirmation No. 5628  
Group Art Unit: 2662  
Title: *Distributed Dynamic Channel Selection in a Communication Network*

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Willie Jiles

January 10, 2005  
Date of Signature

Express Mail No. EV 323311273 US

**Information Disclosure Statement**

Applicants respectfully request, pursuant to 37 C.F.R. §§1.56, 1.97 and 1.98, that the references listed on the attached PTO-1449 form be considered and cited in the examination of the above-identified patent application. Copies of these references are enclosed for the convenience of the Examiner. Furthermore, no representation is made that a search has been made, that these references are material to the patentability of the present invention, or that these references qualify as prior art.

Enclosed is a copy of a PCT International Search Report identifying the references contained in this Information Disclosure Statement. Therefore, I hereby certify that the references contained in this Information Disclosure Statement were cited for the first time in

a communication from a foreign patent office in a related foreign application not more than thirty days prior to the filing of this Information Disclosure Statement. Furthermore, in the event a patent term adjustment is requested, pursuant to the requirements of 37 C.F.R. §1.704, Applicants submit that the references contained in this Information Disclosure Statement were received from a foreign patent office in a related foreign application not more than thirty (30) days prior to the filing of this Information Disclosure Statement.

Pursuant to 37 C.F.R. §1.97(c), Applicants believe that this Information Disclosure Statement has been filed before the mailing date of the first Office Action. Therefore, Applicants believe that no fee is due. However, if a fee is required, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTT S L.L.P.  
Attorneys for Applicants



Kevin J. Meek  
Reg. No. 33,738

Date: January 10, 2005

**Customer ID #45507**

PTO-1449 <b>Information Disclosure Citation in an Application</b> JAN 13 2005 PATENT & TRADEMARK OFFICE	Application No. <b>10/603,240</b>	Applicant(s) <b>Hershey, et al.</b>
	Docket Number <b>064749.0162</b>	Group Art Unit <b>2662</b>
		Filing Date <b>June 24, 2003</b>

**U.S. PATENT DOCUMENTS**

	<b>DOCUMENT NO.</b>	<b>DATE</b>	<b>NAME</b>	<b>CLASS</b>	<b>SUBCLASS</b>	<b>FILING DATE</b>
A	2003/0002456A1	01/02/2003	Soomro, et al.	370	328	03/07/2002
B						
C						
D						
E						
F						
G						
H						
I						
J						
K						

**FOREIGN PATENT DOCUMENTS**

	<b>DOCUMENT NO.</b>	<b>DATE</b>	<b>COUNTRY</b>	<b>CLASS</b>	<b>SUBCLASS</b>	<b>TRANSLATION</b>	<b>YES</b>	<b>NO</b>
L	WO 03/021886A2	03/13/2003	PCT	H04L	12/56	X		
M	WO 03/024129A1	03/20/2003	PCT	H04Q	7/20	X		
N								
O								

**NON-PATENT DOCUMENTS**

	<b>DOCUMENT (Including Author, Title, Source, and Pertinent Pages)</b>	<b>DATE</b>
P	PCT Notification Transmittal of the International Search Report and the Written Opinion of the International Searching Authority, or the Declaration mailed Dec. 10, 2004, re PCT/US2004/018052 filed June 3, 2004 (17 pages)	Dec. 10, 2004
Q	Black, et al., <i>Dynamic Frequency Selection (DFS) in an Independent BSS (IBSS)</i> , IEEE 802.11-01/532r0 (9 pages)	Nov. 1, 2001
S	IEEE: "Draft supplement to IEEE 802.11h Standard D3.3: Spectrum and Transmit Power Management Extensions in the 5GHz Band in Europe (89 pages)	Feb. 2003

<b>EXAMINER</b>	<b>DATE CONSIDERED</b>

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.